

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Leslie D. GIST, John M.  
BEVILLE, James P.  
NICHOLS, Jr.

Serial Number: 10/644,889

Filed: August 20, 2003

Title: Rotatable Handle for  
Reciprocating Saws

Art Unit: 3724

Examiner: Douglas Watts  
Atty. Docket No.: 54525.000106

BEST AVAILABLE COPY

**AFFIDAVIT OF**  
**LESLIE D. GIST**  
**UNDER 37 C.F.R. § 41.202**

1. I, Leslie Daily Gist, am a citizen of the United States residing at \_\_\_\_\_  
9110 Turn Trail Drive, Huntersville, NC 28078
2. I was employed by Porter-Cable Corporation from 2/3/1997 to 10/2002.
3. I am a joint inventor of the invention disclosed and claimed in the patent application identified above.
4. I have reviewed and I understand the subject matter disclosed and claimed in the patent application identified above.
5. Prior to December 3, 2001, while an employee at Porter-Cable Corporation, I had the idea of the invention defined by the Count set forth in Appendix A while attending a meeting at Porter-Cable Corporation with fellow employees Mark Etter ("Etter"), Darwin Keith-Lucas ("Keith-Lucas") and Angela Shelton ("Shelton"). My idea was a reciprocating saw that includes a spindle, a saw blade, a body housing a motor and a

**BEST AVAILABLE COPY**

U.S. Application No. 10/644,889

drive mechanism that drives the spindle, and a grip that pivots relative to the body about a longitudinal pivot axis of the body.

6. I described the invention defined by the Count set forth in Appendix A to Etter, Keith-Lucas, and Shelton during the meeting referred to above in paragraph 5.
7. I made a drawing of the invention during the meeting referred to above in paragraph 5 and I showed the drawing to Etter, Keith-Lucas and Shelton during the meeting. A copy of my drawing is attached as Appendix I. My drawing shows a reciprocating saw that includes a spindle, a saw blade, a body housing a motor and a drive mechanism that drives the spindle, and a grip that pivots relative to the body about a longitudinal pivot axis of the body.
8. Subsequent to my idea and drawing referred to above in paragraphs 5 and 7, and prior to December 3, 2001, I observed that Keith-Lucas worked diligently towards designing a prototype of the invention as part of Porter-Cable's TigerSaw product development effort. Copies of TigerSaw Team Notes showing diligence in designing the prototype as part of Porter-Cable's TigerSaw product development effort, from a time prior to December 3, 2001 until the prototype was built and determined to work for its intended purpose, are set forth in Appendix J.

U.S. Application No. 10/644,889

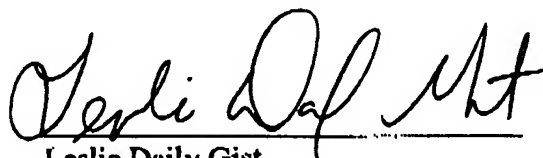
NOT AVAILABLE COPY

9. I hereby declare that all statements made here of my own knowledge are true and that all statements made on information and belief are believed to be true and that the statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated:

12/21/2004

By:

  
Leslie Daily Gist